

HOUSE JOURNAL

First Regular Session of the Fifty-second Legislature

of the State of Oklahoma

Forty-fifth Legislative Day, Thursday, April 16, 2009

The House was called to order by Speaker Pro Tempore Steele.

The roll was called with 99 Members present.

The following Members were excused: Jett, Nations.—2.

The Speaker Pro Tempore declared a quorum present.

Prayer was offered by Pastor Dick Terry, First Free Will Baptist Church, Sulphur.

The Journal for the last legislative day was approved.

ENGROSSED AND ENROLLED MEASURES

HAs to SBs 239, 275, 353, 394, 479, 487, 586, 610, 702, 749, 828, 834, 1118, 1137, 1152 and 1185 were reported correctly engrossed, properly signed, in open session, and the measures, as amended, were ordered returned to the Honorable Senate.

HBs 1031, 1052, 1326, 1333, 1518, 1601, 1674, 1761, 1763 and 1892 were reported correctly enrolled and, after fourth reading, properly signed, in open session, and ordered transmitted to the Honorable Senate.

HCR 1012 was reported correctly enrolled, properly signed, in open session, and ordered transmitted to the Honorable Senate.

MESSAGES FROM THE SENATE

Announcing the passage of **HBs 1402**, Coauthored by Representatives Bailey, Kouplen, Luttrell, Pittman, Renegar, Wesselhoft, **1570**, Coauthored by Representative McCullough, **1581, 1598**, Coauthored by Representative Smithson and Senator Marlatt, **1599**, Coauthored by Representative Faught, **1756**, Coauthored by Senators Stanislawski, Mazzei, Brogdon, Newberry, Russell and Representatives McDaniel (Randy), Tibbs, Wesselhoft, **2032**, Coauthored by Representative McDaniel (Jeannie), **2093**, Coauthored by Representatives Tibbs, Walker and **HJR 1003**, Coauthored by Senators Newberry, Russell.

The above-numbered measures were referred for enrollment.

Returning engrossed measures, as amended

Announcing the passage of and returning engrossed measures as amended: **HBs 1004**, Coauthored by Representative Pittman, **1057, 1074, 1474, 1591**, Coauthored by Senator Johnson (Constance), **1592**, Coauthored by Representatives Pittman, Tibbs, **1597, 1600**, Coauthored by Representative Tibbs, **1676, 1698, 1780, 1786**, Coauthored by Representatives Walker, Armes, **1999, 2067**, Coauthored by Senators Mazzei, Gumm, Ivester, Stanislawski, Newberry, Barrington and Representative Armes, **2071**, Coauthored by Senator Marlatt and **HJR 1016**, Coauthored by Representatives Kern, Wesselhoft and Senators Branan and Leftwich.

Senate amendments were read on the above numbered measures.

Returning enrolled measures

Announcing that Enrolled **HBs 1031, 1052, 1326, 1333, 1518, 1601, 1674, 1761, 1763** and **1892** have been read at length for the fourth time and signed by the Presiding Officer of Senate, in open session.

The above measures were ordered transmitted to the Honorable Governor.

Announcing that Enrolled **HCR 1012** has been signed by the Presiding Officer of Senate, in open session.

The above measure was ordered filed with the Secretary of State.

Transmitting enrolled measures

Advising fourth reading of and transmitting for signature Enrolled **SBs 397, 582 and 981**.

The above-numbered enrolled measures were, after fourth reading, properly signed and ordered returned to the Honorable Senate.

Advising the signing of and transmitting for signature Enrolled **SCR 17**.

The above-numbered enrolled measure was properly signed and ordered returned to the Honorable Senate.

Conference requested

Advising rejection of **HAs** to **SB 135**, requesting conference thereon, the Senate naming conferees as follows:

SB 135 – Coffee, Justice, Lamb, Garrison

Conference requested

Advising rejection of **HAs** to **SBs 269, 413 and 718** and requesting conference thereon, the Senate naming conferees later.

CONFERENCE GRANTED

Upon motion of Representative Jones, the House granted the request of the Honorable Senate for conference on the following measure and the Speaker named conferees:

SB 135 – Steele, Sullivan, Miller

PENDING CONSIDERATION OF SAs

SAs to **HB 1934** were rejected upon motion of Representative Jackson. The Speaker named the following conferees:

HB 1934 – Jackson, Steele, Wright (John), Rousselot

GENERAL ORDER

SB 605 by Lamb of the Senate and Denney of the House was read and considered.

Coauthored by Representative(s) Wright (John)

Representative Denney moved that **SB 605** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 605 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Armes, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Duncan, Enns, Faught, Fields, Glenn, Harrison, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McPeak, Miller, Moore, Morgan, Murphey, Nelson, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--90.

Excused: Auffet, Dorman, Hamilton, Hickman, Jett, McNiel, Morrissette, Nations, Ortega, Scott, Trebilcock.--11.

The measure and emergency passed.

SB 605 was referred for engrossment.

MESSAGE FROM THE SENATE

Advising conference granted and the Senate naming conferees as follows:

HB 1934 – Myers, Justice, Halligan, Garrison

Representative Hickman Presiding

RESOLUTION FOR CONSIDERATION

HR 1040 was called up for consideration.

Upon unanimous consent request of Representative Kiesel, all Members of the House were added as coauthors.

Upon motion of Representative Kiesel, **HR 1040** was considered and adopted.

HR 1040 was referred for enrollment.

RESOLUTION FOR CONSIDERATION

HR 1017 was called up for consideration.

Upon motion of Representative Steele, **HR 1017** was considered and adopted.

HR 1017 was referred for enrollment.

RESOLUTION FOR CONSIDERATION

HR 1038 was called up for consideration.

Representative Reynolds moved to table **HR 1038**, which tabling motion failed of adoption.

Upon motion of Representative McAffrey, **HR 1038** was considered and adopted.

HR 1038 was referred for enrollment.

GENERAL ORDER

SB 1138 by Easley of the Senate and McDaniel (Jeannie) of the House was read and considered.

Coauthored by Representative(s) Osborn, McCullough, Kern, Ortega

Representative McCullough moved to amend **SB 1138** by striking the title, the enacting clause and the entire measure and inserting in lieu thereof a floor substitute, which amendment was declared adopted.

Representative McDaniel (Jeannie) moved that **SB 1138** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1138 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Moore, Morgan, Morrissette, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--97.

Excused: Jett, Nations, Pittman, Shelton.--4.

The measure and emergency passed.

SB 1138 was referred for engrossment.

GENERAL ORDER

SB 1166 by Jolley et al of the Senate and Terrill of the House was read and considered.

Representative Reynolds moved to amend **SB 1166** by striking the title, the enacting clause and the entire measure and inserting in lieu thereof a floor substitute.

Representative Joyner moved to table the Reynolds amendment, which tabling motion failed of adoption upon roll call as follows:

Aye: Cannaday, Collins, Cooksey, Hamilton, Joyner, McMullen, Nelson, Ortega, Pruet, Roan, Rousselot, Schwartz, Sears, Shoemake, Smithson, Walker.--16.

Nay: Armes, Auffet, Banz, Billy, Blackwell, Brannon, Brown, Carey, Christian, Coody, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jones, Jordan, Kern, Key, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiel, McPeak, Moore, Morgan, Murphey, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Renegar, Reynolds, Richardson, Ritze, Sanders, Scott, Shannon, Sherrer, Shumate, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--75.

Excused: Bailey, Buck, Harrison, Jett, McAffrey, McDaniel (Jeannie), Miller, Morrissette, Nations, Shelton.--10.

Representative Reynolds pressed adoption of the floor substitute, which amendment was declared adopted upon roll call as follows:

Aye: Armes, Banz, Billy, Blackwell, Buck, Christian, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Hickman, Hilliard, Holland, Inman, Jackson, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Randy), McNiel, Miller, Moore, Morrissette, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Proctor, Reynolds, Richardson, Ritze, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shumate, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--75.

Nay: Auffet, Brannon, Brown, Cannaday, Carey, Collins, Cox, Glenn, Harrison, Hoskin, McDaniel (Jeannie), McMullen, McPeak, Morgan, Pittman, Renegar, Roan, Rousselot, Shoemake, Smithson, Walker.--21.

Excused: Bailey, Hamilton, Jett, Nations, Pruet.--5.

Representative Joyner moved that **SB 1166** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1166 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Armes, Auffet, Banz, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Harrison, Hickman, Holland, Inman, Jackson, Johnson, Jones, Jordan, Joyner, Kern, Key, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiel, Miller, Moore, Morgan, Morrisette, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Wright (Harold), Mr. Speaker.--84.

Nay: Cox, Glenn, Hilliard, Hoskin, Kiesel, McAffrey, McDaniel (Jeannie), McMullen, McPeak, Roan, Sullivan, Williams, Wright (John).--13.

Excused: Bailey, Hamilton, Jett, Nations.--4.

The measure and emergency passed.

SB 1166 was referred for engrossment.

GENERAL ORDER

SB 314 by Branan et al of the Senate and Terrill et al of the House was read and considered.

Representative Terrill moved that **SB 314** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 314 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Banz, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Moore, Morgan, Morrisette, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears,

Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--96.

Excused: Bailey, Christian, Jackson, Jett, Nations.--5.

The measure passed.

SB 314 was referred for engrossment.

GENERAL ORDER

SB 268 by Ford of the Senate and Sears of the House was read and considered.

Coauthored by Representative(s) Hickman

Representative Sears moved to amend **SB 268** by striking the title, the enacting clause and the entire measure and inserting in lieu thereof a floor substitute, which amendment was declared adopted.

Representative Sears moved that **SB 268** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 268 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Blackwell, Christian, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Duncan, Enns, Fields, Hamilton, Hickman, Holland, Jackson, Johnson, Jones, Jordan, Joyner, Key, Kirby, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiell, Miller, Moore, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pruett, Richardson, Sanders, Schwartz, Sears, Shannon, Shumate, Steele, Sullivan, Thompson, Thomsen, Tibbs, Trebilcock, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--61.

Nay: Brannon, Brown, Buck, Cannaday, Carey, Collins, Dorman, Faught, Glenn, Harrison, Hilliard, Hoskin, Inman, Kern, Kiesel, Kouplen, Lamons, McAffrey, McDaniel (Jeannie), McMullen, McPeak, Morgan, Morrisette, Pittman, Proctor, Renegar, Reynolds, Ritze, Roan, Rousselot, Scott, Shelton, Sherrer, Shoemake, Smithson, Walker, Williams.--37.

Excused: Jett, Nations, Terrill.--3.

The measure passed.

On passage of the emergency, the roll call was as follows:

Aye: Armes, Bailey, Banz, Christian, Coody, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Fields, Hamilton, Hickman, Holland, Jackson, Johnson, Jones, Jordan, Joyner, Kirby, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Randy), McNiell, Moore, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Richardson, Sanders, Schwartz, Sears, Shannon, Shumate, Steele, Thompson, Thomsen, Tibbs, Trebilcock, Watson, Wesselhoft, Wright (John), Mr. Speaker.--53.

Nay: Auffet, Brannon, Brown, Buck, Cannaday, Carey, Collins, Faught, Glenn, Harrison, Hilliard, Hoskin, Inman, Kern, Key, Kiesel, Kouplen, Lamons, McAffrey, McDaniel (Jeannie), McMullen, Morgan, Morrissette, Proctor, Pruett, Renegar, Reynolds, Ritze, Roan, Rousselot, Scott, Shelton, Sherrer, Shoemake, Smithson, Walker, Williams.--37.

Excused: Billy, Blackwell, Cooksey, Jett, McPeak, Miller, Nations, Pittman, Sullivan, Terrill, Wright (Harold).--11.

The emergency failed.

SB 268 was referred for engrossment.

GENERAL ORDER

SB 1029 by Russell et al of the Senate and Nelson of the House was read and considered.

Coauthored by Representative Cooksey

Representative Nelson moved that **SB 1029** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1029 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Bailey, Banz, Billy, Blackwell, Brannon, Cannaday, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Randy), McMullen, McNiell, Miller, Moore, Morrissette, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill,

Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--88.

Nay: Auffet, Brown, Buck, Carey, Glenn, McDaniel (Jeannie), Morgan, Pittman, Shelton, Sherrer.--10.

Excused: Jett, McPeak, Nations.--3.

The measure passed.

SB 1029 was referred for engrossment.

GENERAL ORDER

SB 658 by Aldridge of the Senate and Nelson of the House was read and considered.

Representative Reynolds moved to amend **SB 658** by striking the title, the enacting clause and the entire measure and inserting in lieu thereof a floor substitute, which amendment was withdrawn.

Representative Nelson moved that **SB 658** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 658 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Coody, Cooksey, Cox, Dank, Denney, Derby, Dorman, Duncan, Enns, Faught, Fields, Glenn, Harrison, Hickman, Hilliard, Holland, Inman, Jackson, Johnson, Jones, Jordan, Joyner, Kern, Kirby, Kouplén, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McAffrey, McCullough, McDaniel (Jeannie), McDaniel (Randy), McNiel, McPeak, Miller, Moore, Morgan, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--90.

Nay: Collins, Hamilton, Hoskin, Key, Kiesel, McMullen, Morrissette, Shelton.--8.

Excused: DeWitt, Jett, Nations.--3.

The measure passed.

SB 658 was referred for engrossment.

GENERAL ORDER

SB 11 by Gumm et al of the Senate and Terrill et al of the House was read and considered.

Coauthored by Representative(s) Cox. Reynolds, Wright (Harold), Tibbs

Representative Terrill moved that **SB 11** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 11 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Moore, Morgan, Morrissette, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--98.

Excused: Jett, McAffrey, Nations.--3.

The measure passed.

SB 11 was referred for engrossment.

GENERAL ORDER

SB 1153 by Barrington of the Senate and Terrill of the House was read and considered.

Coauthored by Representative(s) Roan, Tibbs

Representative Roan moved that **SB 1153** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1153 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, DeWitt, Dorman, Duncan, Faught, Fields, Glenn, Hamilton, Harrison, Hilliard, Holland, Hoskin, Inman, Johnson, Jones, Jordan, Kern, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Moore, Morgan, Morrissette, Nelson, Osborn, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sears, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Wright (Harold), Wright (John), Mr. Speaker.--84.

Nay: Derby, Enns, Hickman, Jackson, Joyner, Key, Murphey, Ortega, Ownbey, Sanders, Schwartz, Scott, Shannon, Williams.--14.

Excused: Jett, McAffrey, Nations.--3.

The measure passed.

SB 1153 was referred for engrossment.

GENERAL ORDER

SB 1169 by Anderson of the Senate and Denney of the House was read and considered.

Representative Denney moved that **SB 1169** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 1169 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Faught, Fields, Glenn, Harrison, Hickman, Hilliard, Holland, Hoskin, Inman, Jackson, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McNeil, Miller, Moore, Morgan, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Watson, Wesselhoft, Williams, Wright (Harold), Mr. Speaker.--89.

Nay: Hamilton, McMullen, McPeak, Morrissette, Walker, Wright (John).--6.

Excused: Blackwell, Enns, Jett, Kouplen, McAffrey, Nations.--6.

The measure passed.

SB 1169 was referred for engrossment.

GENERAL ORDER

SB 267 by Crain of the Senate and Cox of the House was read and considered.

Coauthored by Representative(s) Ritze

Representative Cox moved that **SB 267** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 267 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cox, Dank, Denney, Derby, DeWitt, Dorman, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Holland, Hoskin, Inman, Jackson, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNeil, McPeak, Miller, Moore, Morgan, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake,

Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Williams, Wright (Harold), Wright (John), Mr. Speaker.--90.

Nay: Cooksey, Duncan, Morrissette, Murphey, Reynolds, Wesselhoft.--6.

Excused: Enns, Hilliard, Jett, McAffrey, Nations.--5.

The measure passed.

SB 267 was referred for engrossment.

GENERAL ORDER

SB 313 by Bingman et al of the Senate and Thompson of the House was read and considered.

Coauthored by Representative(s) Tibbs

Representative Thompson moved that **SB 313** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 313 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Harrison, Hickman, Holland, Hoskin, Inman, Jackson, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Moore, Morgan, Morrissette, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--94.

Nay: Glenn, Hamilton, Renegar.--3.

Excused: Hilliard, Jett, McAffrey, Nations.--4.

The measure and emergency passed.

SB 313 was referred for engrossment.

GENERAL ORDER

SB 597 by Gumm et al of the Senate and Carey of the House was read and considered.

Representative Carey moved that **SB 597** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 597 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Holland, Hoskin, Inman, Jackson, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Moore, Morgan, Morrisette, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--97.

Excused: Hilliard, Jett, McAffrey, Nations.--4.

The measure passed.

SB 597 was referred for engrossment.

GENERAL ORDER

SB 684 by Ballenger of the Senate and Joyner of the House was read and considered.

Representative Joyner moved that **SB 684** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 684 was read at length for the third time. On passage of the measure, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Holland, Hoskin, Inman, Jackson, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Moore, Morgan, Morrisette, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders, Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Williams, Wright (Harold), Wright (John), Mr. Speaker.--95.

Nay: Duncan, Wesselhoft.--2.

Excused: Hilliard, Jett, McAffrey, Nations.--4.

The measure passed.

The Presiding Officer signed, in open session, Engrossed **SB 684** and ordered same returned to the Honorable Senate.

GENERAL ORDER

SB 695 by Wilson of the Senate and Brown of the House was read and considered.

Representative Brown moved that **SB 695** be advanced from General Order, which motion was declared adopted.

THIRD READING

SB 695 was read at length for the third time. On passage of the measure and emergency, the roll call was as follows:

Aye: Armes, Auffet, Bailey, Banz, Billy, Blackwell, Brannon, Brown, Buck, Cannaday, Carey, Christian, Collins, Coody, Cooksey, Cox, Dank, Denney, Derby, DeWitt, Dorman, Duncan, Enns, Faught, Fields, Glenn, Hamilton, Harrison, Hickman, Holland, Hoskin, Inman, Jackson, Johnson, Jones, Jordan, Joyner, Kern, Key, Kiesel, Kirby, Kouplen, Lamons, Liebmann, Luttrell, Martin (Scott), Martin (Steve), McCullough, McDaniel (Jeannie), McDaniel (Randy), McMullen, McNiel, McPeak, Miller, Moore, Morgan, Morrisette, Murphey, Nelson, Ortega, Osborn, Ownbey, Peters, Peterson, Pittman, Proctor, Pruett, Renegar, Reynolds, Richardson, Ritze, Roan, Rousselot, Sanders,

Schwartz, Scott, Sears, Shannon, Shelton, Sherrer, Shoemake, Shumate, Smithson, Steele, Sullivan, Terrill, Thompson, Thomsen, Tibbs, Trebilcock, Walker, Watson, Wesselhoft, Williams, Wright (Harold), Wright (John), Mr. Speaker.--97.

Excused: Hilliard, Jett, McAffrey, Nations.--4.

The measure and emergency passed.

SB 695 was referred for engrossment.

PENDING CONSIDERATION OF SAs

SAs to HB 1949 were rejected upon motion of Speaker Bengé. The Speaker named the following conferees:

HB 1949 – Bengé, Thompson, Martin (Scott), Armes, Watson, Dorman, Shumate, Walker

CCR SUBMITTED

The conference committee report was read on the following measure:

HB 1934

MESSAGE FROM THE SENATE

Announcing the passage of **HBs 1050**, Coauthored by Representative Wright (John) and Senator Leftwich, **1413**, Coauthored by Representative Pittman, **1467**, Coauthored by Representative Shumate, **1527, 1564, 1803**, Coauthored by Representative Liebmann, **1813**, Coauthored by Representative Cox, **1864**, Coauthored by Representatives DeWitt, Kiesel and Senator Stanislawski, **2057** and **2174**, Coauthored by Representative Cooksey.

The above-numbered measures were referred for enrollment.

MESSAGE FROM THE GOVERNOR

Advising of his approval of **HB 2030** on April 16, 2009.

REMARKS

Upon unanimous consent request of Representative Hilliard, the remarks by Pastor Terry were ordered printed in full as follows:

“Good morning. I want to say a big thank you to Representative Hilliard for inviting me to come. It has been a pleasure, and he has also been pretty nice to me as well. I’ve also learned a lot of stuff about him that I believe I will be able to use in my church, so I’m happy about that as well. But it has been a pleasure.

I have been able to spend a few hours each day and sit and observe the happenings here on the Floor, and I wanted to bring some of my observations this week to you and share them with you.

I’ve noticed that you laugh a lot together. Many times throughout the day there’s a roar of laughter heard throughout the Floor, and I think that that’s neat.

You also talk a lot. You talk regardless of who is talking and where and whether they have a microphone or not.

You like to tell stories. I have heard all kinds of stories this week; some I’m sure are true, some I’m sure are untrue.

I’ve also noticed you like to argue across the aisles. There is a lot of arguing going on and a lot of finger-pointing going on. I’ve also noticed you talk about one another all the time. Whispering, once again, finger-pointing. And that’s why I can stand before you this morning and say that I am not nervous at all because you remind me of my home church. All of this goes on in my church every Sunday morning.

So I want to thank all of you. It has been a pleasure to be with you and I have been made welcome and felt at home with you all week long.

I’ve also observed some similarities this week between politicians and preachers that I thought I would share with you as well. I noticed we are both long-winded. I know my church would love to put a ten-minute timer on the back wall in the sanctuary, and when that timer went off I would have to sit down and shut up.

I’ve also noticed that we cannot say what we really want to say. There have been some church members that I’ve liked to give a finger-pointing to but, because of my position, I have to smile and be nice. I can’t say what I really want to say.

I’ve also noticed that people act like they’re listening to us when they’re really not. I’ve also noticed we shake lots of hands and kiss lots of babies and I’ve also noticed when looking around the House this week that there’s not very many of us who would look good in a pair of shorts. I’ve got long white chicken legs and so I’m not pointing any fingers, but we won’t go there.

But I’ve also noticed something else this week, a similarity between preachers and politicians, and that’s that a scandal can kill our careers. That’s what I want to visit with you about a little bit this morning is how to avoid a scandal. Our newspapers, our 10 o’clock news shows, our Internet is full of stories of preachers and politicians who have been involved in some type of scandal, and their lives, their careers often time have been ruined, and so how can we avoid a scandal?

I want to take a look at a politician that is noted in God’s Word. This story is found in the Book of Daniel, Chapter 6. Many of you know Daniel was a politician himself; he had worked his way up in the Kingdom of Babylon and became an important politician. As a foreigner it was very interesting to see a man climb this high in authority and in power into

this Kingdom, and so he was a great politician. Let me read a few verses out of the Bible that talk about Daniel.

In Verse 3 and 4 of Chapter 6, 'And then this Daniel distinguished himself above the governors and satraps because an excellent spirit was in him, and the king gave thought to setting him over the whole realm so the governors and the satraps sought to find some charge against Daniel concerning the kingdom but they could find no charge or fault because he was faithful, nor was there any error or fault found in him.' Daniel was able to avoid scandal in his life, and I believe there are some lessons we could learn from his life that will help me as a preacher and help you as a politician avoid scandal in your life.

First I believe we need to be faithful. Daniel, it says, was faithful, and we need to have faith in God. I believe that when we put God first in our life everything else will take care of itself. You're not going to have to worry about scandals; you're not going to have to worry about what people may say about you because God's going to be first in your life.

But not only do you need to have faith in God, but I believe you need to be reliable and constant in your faith; that's what faithful means – being reliable and being constant. And I believe if we're going to be a man or a woman of God, if we're going to be a Christian, if we're going to have faith in God then we need to do it all of the time, not just on Sunday mornings in our church, not just on the House floor but everywhere we go, every place we are, we need to be a follower of Christ and to be faithful to him.

The second way we can avoid a scandal is to be prayerful. Daniel prayed often. It mentions in Scripture that he prayed three times a day. And I'm not just talking about a petty little prayer before meals, 'God bless this meal, amen', some of our prayer lives this is all it consists of. I believe Daniel spent quality time with God three times a day.

Many of you will sit out there and say, 'Well Pastor Terry, I don't have that kind of time.' I know you're busy, I'm busy as well and sometimes it's difficult even for pastors to find quality time to spend in prayer with God. You may not have three times a day to spend quality time with God, but I believe there are little tidbits throughout the day where you can stop and you can say a little prayer here and you can say a little prayer there.

When you're in the business of making legislation and taking care of numerous people in the state I believe it's important to pray and to pray often. Not only do we need to pray often but we need to pray unashamedly. When Daniel found out they made a law that said that he could no longer pray to any God or any being other than the king, you know what he did? He went straight to his house, he opened the windows and he knelt down and he prayed. He wasn't worried about what people thought about him, he wasn't worried about what people may think of him, what they may do to him, he prayed unashamedly and I believe we need to do the same thing in our lives. We need to pray unashamedly. We need to put our faith in Jesus Christ unashamedly. In fact, Jesus said that if you are ashamed of me I'll be ashamed of you before the Father. We need to pray unashamedly and stand for Christ unashamedly.

The third thing I believe we need to do to avoid a scandal is to be careful. Be careful. You notice that it said that with Daniel, the governor and other officials that were trying to find fault with Daniel, they could find no fault, and they could find no error. And I believe that's because he was careful. I don't believe he was careful in that he had evil in his life that they just couldn't find; he wasn't careful in that way. I believe he was careful to avoid evil. I believe he was careful to avoid scandal, and I believe that that's what we need to do in our lives is to be careful.

In fact, Jesus said to his disciples in the garden of Gethsemane, watch and pray so that you do not fall into temptation. I believe he was essentially telling his disciples - be

Careful. You see, there are people; there are scandal-seekers in our life, and in your life, people in the gallery, people in the media, people looking for a scandal, people looking for a way to tear you down and to tear me down. In fact, the Bible says in 1 Peter 5:8, the devil is like a roaring lion - seek and ye may devour. He is looking for a way to ruin your career; he is looking for a way to ruin my career.

Be careful. Don't let him get a foothold in your life.

So this morning I hope you have been able to learn how to avoid a scandal. Being a politician, being a preacher, you need to be faithful, you need to be prayerful, and you need to be careful.

Let's all stand and I will lead us in our prayer today.

Father, we come to you and I lift you up and I praise you for the great God that you are. Father, you look over us and you protect us and God we come to you today, and we ask Lord that you will help us to watch, help us to pray and help us to avoid temptation.

We have learned today there are people out there in this world today who are seeking a way, the devil and his army is looking for a way to tear us down and ruin our political lives, ruin our Christian lives, and even ruin our total lives. God help us to be careful, help us to be prayerful, and help us to be faithful to you to avoid these traps that are set for us.

We love you today, we're going to trust in you to give us wisdom and make wise decisions today. In Jesus name, Amen."

Representative Jones moved that when the clerk's desk is clear, the House stand adjourned to reconvene at 10:30 a.m., Monday, April 20, 2009, which was the order.

Pursuant to the motion of Representative Jones, the House was adjourned at 12:05 p.m., to reconvene Monday, April 20, 2009, at 10:30 a.m.